

MINUTES OF THE PLANNING COMMISSION MEETING OF OCTOBER 04, 2006, AT 6:00 P.M. HELD IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBER.

MEMBERS PRESENT: Tom Bowen, Sue Ryser, Jim Keane, Gordon Nicholl, JoAnn Frost, Amy Rosevear, Jerri Harwell, Geoff Armstrong

EXCUSED: Doug Haymore

STAFF PRESENT: Planning Director Michael Black, Associate Planner Glenn Symes, Planning Intern Bill Cobabe, City Attorney Shane Topham, Planning Coordinator Sherry McConkey

OTHERS PRESENT: Diane Harrart, Bruce Haggart, John Lyman, Cathy McKitrick, Susan Johnston, Joanne Benfatti, Mary Ramsey, Leslie Smith, Cyndi Wright, Joann Folker, Carol Ann Perea, Susan Stringer, Greg Stringer, Craig Donker, Jesse McLhewen, Susan Lemon, Shaun Frandsen, Gordon Barland, LaDonna Haslem, Debbie Lindquist, Todd Lindquist, Mark Johnson, Larraine Shearrer, Claudia Moore, Brian Godfrey, Kendra Barnes, Deen Johnson, Birgid Park, Josh McPheron

Chair Bowen called the meeting to order and explained that Item 7, Amended Conditional Use – Royal Oaks Estates has been pulled from the agenda and will not be heard at this time.

**1.0 PUBLIC COMMENT**

1.1 No public comment was given.

**2.0 ACTION ITEM – ZONE CHANGE – ARBOR HOMES**

2.1 Mr. Black explained that two weeks ago a public hearing was held at Butler Middle School. The meeting was specifically for public comment with the Planning Commission deciding to take public comment until 7 p.m. today. Mr. Black stated that there had been a lot of comments received and wanted the public to know how much the City and Planning Commission appreciated it. He went on to say that this is a continuation of the meeting held on October 4, 2006 in which the applicant Arbor Development had requested a zone change for property located at 1805 E. Pelton Dr. formally known as Meadows Mobile Home Park, the zone change would affect 19.57 acres. The request is to change the zone from RR-1-43 to RR-1-21.

Mr. Black explained that both zones are consistent with the General Plan and staff is recommending approval of the zone change.

2.2 Chair Bowen stated that an extensive Public Hearing was held on September 20, 2006 in which they heard from several individuals and groups throughout the community. The public comment section was held open until 7 p.m. on October 04, 2006 in an effort to receive as many comments from the public as possible. The comments have been both in favor and against this project. Chair Bowen explained that the only item that is being heard at the meeting is a zone change. The other issues such as how the property will be developed are issues that will be heard at a later date and

only if they are applied for. He further explained that the Planning Commission is a recommending body to the City Council and that the final decision will be made by them.

- 2.3 John Gust, Arbor Commercial Properties, explained that the intent is to build homes at a density of 1.68 units per acre. Mr. Gust stated that the lot is irregular and has made it challenging to build on. The lot size would change based on the irregularity of the property.
- 2.4 Susan Johnston, President of the Meadows Mobile Home Park Residence Association, stated that the people in the Meadows and the residents of Cottonwood Heights have expressed the concern that so many senior citizens will be displaced by this zone change and that the general Plan states the goal in the city is to provide affordable housing for the seniors, if the zone is changed then it would conflict with the General Plan.
- 2.5 **MOTION:** Ms. Ryser moved to deny the application for rezone the property located at 7800 S. Siesta Drive from RR-1-21 to R-1-8. The motion was seconded by Ms. Rosevear.
- 2.6 Ms. Ryser stated that the zoning of this property was meant to keep the area open and that is why the residents were willing to pay the higher prices for land. If the zone is changed then it seems to go against the rural nature and would in essence wipe away one of the last areas of open space in the city.
- 2.7 Ms. Rosevear stated her biggest concern is that higher density would be counter productive and open space should be preserved.
- 2.8 Ms. Frost stated that all developers would like to devour open space and there is not enough land left to develop and the Rural Residential zone was meant to protect open space.
- 2.9 Mr. Nicholl explained that this has been a difficult issue and has done a tremendous amount of research on the properties surrounding this location. He stated that the area is surrounded by 1 acre lots and the property owners may want to reduce the lot sizes to ½ acre.  
  
Ms. Ryser stated that she had spoken with the surrounding property owners and they have no desire to reduce the lot sizes.
- 2.10 Mr. Armstrong stated that the majority of neighbors that he spoke with want to retain the 1 acre status and he would be voting with those people in mind.
- 2.11 Mr. Keane would like to keep the lot size at 1 acre.
- 2.12 Chair Bowen explained that members can take public opinion into consideration and believes that the property should stay RR-1-43.

- 2.13 **REVISED MOTION:** Ms. Ryser moved to recommend to the City Council that they deny the request by Arbor Properties to rezone the property located at 7800 S. Siesta Drive from RR-1-43 to RR-1-21 for the following reasons.

1. This would set in to motion a flood of request to split 1 acre lots into ½ acre lots.
2. The area needs to be preserved as low density.
3. Input from the community is resoundingly opposed.

Ms. Rosevear seconded the motion, the motion passed unanimously on voice vote.

3.0 **PUBLIC HEARING – CONDITIONAL USE – STRINGER RESIDENCE FENCE**

- 3.1 Mr. Symes explained that Mr. Stringer had applied for a conditional use permit to obtain an 8' privacy fence for property located at 7772 Towne Circle. Mr. Symes stated that approval is recommended on the project.
- 3.2 Mr. Stringer explained that the summary in the staff report was missing a 5 foot section of the proposed fence and wanted to make the Planning Commission aware of the intent to add this section on the east side of the property.
- 3.3 Chair Bowen opened the public hearing.
- 3.4 Mr. Symes explained that the 5 foot section shows on the plans and that it would not be detrimental to the surrounding properties.
- 3.5 No public comment was given.
- 3.6 Chair Bowen closed the public hearing.
- 3.7 **MOTION:** Mr. Armstrong moved to approve the conditional use application for an 8' fence to be located at 7772 Towne Circle. The motion was seconded by Ms. Rosevear and passed unanimously on voice vote.

4.0 **PUBLIC HEARING – CONDITIONAL USE – BARLAND RESIDENCE FENCE**

- 4.1 Mr. Symes explained that Mr. Barland had applied for a conditional use permit to obtain an 8' cedar privacy fence for property located at 2162 East 6595 South. Mr. Symes stated that approval is recommended on the project.
- 4.2 Chair Bowen opened the public hearing.
- 4.3 No public comment was given.
- 4.4 Chair Bowen closed the public hearing.

4.5 Mr. Barland made himself available for questions.

4.6 **MOTION:** Mr. Armstrong moved to approve the conditional use application for an 8' fence to be located at 2162 East 6595 South. The motion was seconded by Ms. Frost and passed unanimously on voice vote.

5.0 **REVIEW ITEM – AMENDMENTS TO TITLE 19 REGARDING CONDITIONAL USES; PLANNED UNIT DEVELOPMENTS AND FENCES**

5.1 Mr. Black explained the proposed revision and asked the commission members to review the changes and forward any changes to him via e-mail.

6.0 **REVIEW ITEM – AMENDMENT TO TITLE 19; WIRELESS TELECOMMUNICATION FACILITIES**

6.1 Mr. Black explained the proposed revision and asked the commission members to review the changes and forward any changes to him via e-mail.

7.0 **APPROVAL OF MINUTES**

7.1 **MOTION:** Mr. Nicholl moved to approve the minutes for August 2, 2006. The motion was seconded by Mr. Armstrong and passed unanimously on voice vote.

7.2 **MOTION:** Mr. Nicholl moved to approve the minutes for August 16, 2006. The motion was seconded by Mr. Armstrong and passed unanimously on voice vote.

7.3 **MOTION:** Mr. Nicholl moved to approve the minutes for September 20, 2006. The motion was seconded by Mr. Armstrong and passed unanimously on voice vote.

8.0 **MOTION:** Mr. Armstrong moved to adjourn. The motion was seconded by Ms. Frost and passed unanimously on voice vote.

Meeting adjourned at 7:45 pm

Approved: 12-06-2006 sm